

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

Kelly Woodburn, Thomas Woodburn, and  
Joshua Rodriguez, individually and on  
behalf of all others similarly situated,

## Plaintiffs

V.

City of Henderson, et al.,

## Defendants

Case No. 2:19-cv-01488-CDS-DJA

**Order Adopting the Report and  
Recommendation of the United States  
Magistrate Judge Granting in Part and  
Denying in Part Defendant City of  
Henderson's Motion for Sanctions**

[ECF Nos. 205, 210]

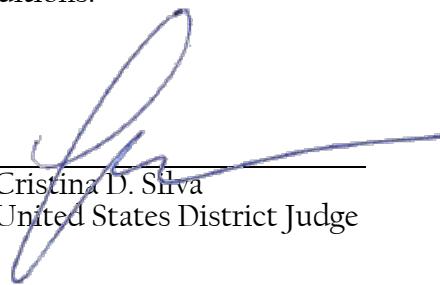
United States Magistrate Judge Daniel Albregts issued a report and recommendation that I dismiss five opt-in plaintiffs from this action for failing to prosecute this case, and grant in part and deny in part the City of Henderson's motion for sanctions. R&R, ECF No. 205 (addressing Henderson's motion for sanctions, ECF No. 205). Judge Albregts recommends dismissal for plaintiffs Arias, Zamora-Rios, Weathers, and Montano pursuant to Federal Rules of Procedure 37(b)(2)(A) and 41(b). *Id.* at 4-7. He further recommends that plaintiff Dema be dismissed under Federal Rule of Civil Procedure 41(a)(2). *Id.* at 7. Finally, he recommends that relief be granted without prejudice for all five of the opt-in plaintiffs. *Id.* at 8-10.

19 The parties had until January 2, 2025, to lodge any objections to the R&R. *See id.* at 10-11;  
20 Local Rule IB 3-2(a) (stating that parties wishing to object to an R&R must file objections within  
21 fourteen days); *see also* 28 U.S.C. § 636(b)(1)(C) (same). As of the date of this order, no objections  
22 have been filed. “[N]o review is required of a magistrate judge’s report and recommendation  
23 unless objections are filed.” *Schmidt v. Johnstone*, 263 F. Supp. 2d 1219, 1226 (D. Ariz. 2003); *see also*  
24 *Thomas v. Arn*, 474 U.S. 140, 150 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir.  
25 2003). Because no objections are filed, I adopt the R&R in full and grant in part and deny in part  
26 the City of Henderson’s motion for sanctions.

1 Conclusion  
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3 IT IS HEREBY ORDERED that the magistrate judge's report and recommendation [ECF  
4 No. 210] is adopted in its entirety, therefore the City of Henderson's motion for sanctions [ECF  
5 No. 205] is granted in part and denied in part. Opt-in plaintiffs Abresha Dema, Gabriel Arias,  
6 Octaviano Zamora-Rios, Edward Weathers, and Andrew Montano's claims are dismissed from  
this action without prejudice and without conditions.

7 Dated: January 15, 2025

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10 Cristina D. Silva  
11 United States District Judge  
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